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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,842	12/07/2001	William R. Dutcher	12307/100107	7798

7590 03/08/2005

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EXAMINER

NGUYEN, MERILYN P

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/004,842	Applicant(s) DUTCHER ET AL.	
	Examiner Merilyn P Nguyen	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-92 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-92 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input checked="" type="checkbox"/> Other: <u>Detailed Action</u> . |

DETAILED ACTION

1. Claims 1-92 are pending in this office action.
2. This application claims Priority from Provisional Application 60251587 filed on 12/07/2000.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-92 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 6, 8-11, 13-15, 18, 23, 25-26, 31, 33-34, 39, , 46, 50-55, 57-59, 62, 65, 70, 73-74, 76-77, and 82, these claims are being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim. For example, "short name" appears well known as containing only alphabets, however the claims recite "short name" contains "code number". Moreover, the term "short name" does not appear in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9, 11-53, and 55-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waites (US 6,788,769), in view of Govindarajan (US 6,208,659).

Regarding claim 1, Waites discloses a method for accessing a digital business card¹ (url) based on a request from a device (See col. 6, lines 58-65), comprising:

- receiving a transmitted short name from said device, said short name comprising a code number (telephone number) representative of a particular digital business card (See Col. 6, lines 58-65);
- searching a database for said short name, said database being located at a location remote from said device (See col. 6, lines 60-64);
- if said short name is found, retrieving said particular digital business card and returning said particular digital business card to said device (See col. 6, lines 49-56); and
- displaying said particular digital business card on said device (See col. 6, lines 49-56).

Waites does not explicitly teach web sites being accessed content of business card. However, Waites teaches that web page can include business content (See col. 6, lines 52-53). On the other hand, Govindarajan teaches method for providing personal information such as web business cards that are accessible by individuals via communication networks (See abstract, Fig. 5, Fig.

¹ Please notes that accessing a digital business card is similar to accessing a web site content digital business card as addressed in Applicant's Specification.

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6A, and col. 10, lines 48-64, Govindarajan et al.). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have web pages content of business card. The motivation would have been to allow users to access their own created personal information.

Regarding claims 2, 27, 43, 47, 75, and 83, Waites/Govindarajan discloses wherein said device is a wireless device (See col. 5, lines 23-27).

Regarding claims 3 and 48, Waites/Govindarajan discloses wherein said database is accessed over the internet (See Fig. 1).

Regarding claims 4 and 49, Waites/Govindarajan discloses wherein said database is accessed through a service provider without traversing the internet (See col. 8, lines 40-65).

Regarding claim 5, Waites/Govindarajan discloses wherein said service provider is a wireless service provider (See col. 5, lines 23-27).

Regarding claims 6 and 50, Waites/Govindarajan discloses wherein said short name is received by a software application that queries said database (See col. 6, lines 62-64).

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Regarding claims 7 and 51, Waites/Govindarajan discloses wherein at least one of said software application and said database maps said short name to said digital business card (See col. 6, lines 62-64).

Regarding claims 8 and 52, Waites/Govindarajan discloses wherein multiple short names can map to a single digital business card (See col. 6, lines 17-20).

Regarding claims 9 and 53, Waites/Govindarajan discloses if said database indicates that said short name is not found, searching a second database for said short name (See col. 7, lines 10-65).

Regarding claims 11 and 55, Waites/Govindarajan discloses wherein said short name is input to said wireless device in the form of a voice command, and said voice command is converted to a non-voice command after being transmitted by said wireless device (See col. 9, lines 36-50).

Regarding claims 12, 32 and 56, Waites/Govindarajan discloses wherein said voice command is converted to a non-voice command by a computer connected to said wireless device via a network (See col. 9, lines 55-60).

Regarding claims 13-14, 33-34, 57-58, and 76-77, Waites/Govindarajan discloses wherein said short name corresponds to a phone number or in E.164 format (See col. 6, lines 58-60).

Regarding claims 15, 25, and 62, Waites/Govindarajan discloses wherein said short name is registered with a central authority for the internet (See col. 5, lines 54-58).

Regarding claims 16, 44, 63, and 84, Waites/Govindarajan discloses wherein a content of said digital business card is formatted for display on said wireless device (See col. 2, lines 31-35).

Regarding claims 17, 45, 64, and 85, Waites/Govindarajan discloses wherein said content is formatted in a display language selected from the group of display languages that are compatible with said device, said group of display languages includes WML, XML, HTML, HDML, CHTML, and mHTML (See col. 5, lines 40-45).

Regarding claims 18 and 65, Waites/Govindarajan discloses wherein said short name consists of only numeric characters contained on a keypad of said wireless device (See col. 6, lines 58-60).

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Regarding claims 19, 35, 66, and 78, Waites/Govindarajan discloses wherein said digital business card includes a textual content (See col. 5, lines 40-45, wherein web page is textual content).

Regarding claims 20, 36, 67, and 79, Waites/Govindarajan discloses wherein said digital business card includes a non-textual content (See col. 6, lines 52-54, wherein picture is an example of non-textual content).

Regarding claims 21-22, 37-38, 68-69, and 80-81, Waites/Govindarajan web pages can include any type of information and format, therefore it may be used to include textual content as a foreign language using a non-Latin alphabet or character set since this is regarded as intended and, thus not given patent able weight.

Regarding claim 23, Waites/Govindarajan discloses a method for creating a digital business card using a device (See col. 5, line 49 to col. 6, line 11, Waites et al.), comprising:

- contacting a registration Web site (See col. 5, lines 48-57, Waites et al.);
- selecting a short name to be associated with said digital business card (See col. 5, lines 57-58, Waites et al.);
- specifying a content of said digital business card (See col. 5, lines 60-65, Waites et al.);
- associating said short name with said digital business card (See col. 6, lines 6-11, Waites et al.); and

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- storing said digital business card (See col. 16, claim 11, Waites et al.).

Wherein the web page can include business content such as business card as addressed above in claim 1.

Regarding claim 24, Waites/Govindarajan discloses wherein said registration Web site is maintained and managed by a third party (See col. 5, lines 60-63, Waites et al.).

Regarding claims 25 and 73, Waites/Govindarajan discloses wherein said selected short name is registered with a central authority (server 102) for the Internet (See col. 5, lines 60-63, Waites et al.).

Regarding claims 26 and 74, Waites/Govindarajan discloses wherein said selected short name is unique (See col. 4, lines 64-66, Waites et al.).

Regarding claim 28, Waites/Govindarajan wherein said digital business card is stored in one or more databases (See col. 4, lines 58-64, Waites et al.).

Regarding claim 29, Waites/Govindarajan discloses wherein at least one of said one or more databases is connected to the Internet (See Fig. 1, Waites et al.).

Regarding claim 30, Waites/Govindarajan discloses wherein none of said one or more databases is connected to the Internet (See col. 8, lines 40-65, Waites et al.).

Regarding claim 31, Waites/Govindarajan discloses wherein said short name is selected by a voice command input to said wireless device, and said voice command is converted to a non-voice command after being transmitted by said wireless device (See col. 9, lines 36-50, Waites et al.).

Regarding claim 39, Waites/Govindarajan discloses a method for modifying a digital business card using a device, comprising:

- transmitting a short name from said device, said short name comprising a code number representative of a particular digital business card (See Col. 6, lines 58-65, Waites et al.);
- searching a database for said short name, said database being located at a location remote from said device (See col. 6, lines 60-64, Waites et al.);
- if said short name is found, retrieving said particular digital business card and returning said particular digital business card to said device (See col. 6, lines 49-56, Waites et al.);
- displaying said particular digital business card on said device (See col. 6, lines 49-56, Waites et al.);
- using said device to change a content of said particular digital business card (See col. 5, lines 40-45, Waites et al.); and
- storing said changed digital business card in said database (See col. 5, lines 40-45, Waites et al.) .

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Wherein the web page can include business content such as business card as addressed above in claim 1.

Regarding claim 40, Waites/Govindarajan discloses wherein said content is changed by adding a new content to said content of said particular digital business card (See col. 5, lines 40-43, Waites et al.).

Regarding claim 41, Waites/Govindarajan discloses wherein said content is changed by removing an existing content from said content of said particular digital business card (See col. 5, lines 40-43, Waites et al.).

Regarding claim 42, Waites/Govindarajan discloses wherein said content is changed by editing an existing content of said content of said particular digital business card (See col. 5, lines 40-43, Waites et al.).

Regarding claims 46, 70, and 82, Waites/Govindarajan discloses a system for accessing, creating, and modifying a digital business card based on a request from a device (See Fig. 1, Waites et al.), comprising a database (See col. 6, lines 57-64, Waites et al.) and a controller (Server 102, and col. 4, lines 57-64, Waites et al.) which are used to perform the method of claims 1, 23, and 39 addressed above.

Regarding claim 59, Waites/Govindarajan discloses wherein said short name further comprises a root short name, a separator code, and an extension, said separator code separating said root name from said extension (See col. 6, lines 17-20, Waites et al.).

Regarding claim 60, Waites/Govindarajan discloses wherein said device is a personal computer (See col. 5, lines 23-27, Waites et al.).

Regarding claim 61, Waites/Govindarajan discloses wherein said device is a web-enabled device (See col. 5, lines 23-27, Waites et al.).

Regarding claim 70, Waites/Govindarajan discloses wherein said controller is a registration Web site (See col. 5, lines 55-57, Waites et al.).

Regarding claim 71, Waites/Govindarajan discloses wherein said registration Web site is maintained and managed by a third party (See col. 5, lines 60-63, Waites et al.).

Regarding claim 86, Waites/Govindarajan discloses said digital business card contains personal contact information for a person (See col. 5, lines 55-65, Waites et al.).

Regarding claim 87, Waites/Govindarajan discloses said personal contact information contains said person's name and phone number (See col. 5, lines 55-65, Waites et al.).

Regarding claim 88, Waites/Govindarajan discloses wherein said digital business card contains an advertisement (See col. 3, lines 54-56, Waites et al.).

Regarding claim 89, Waites/Govindarajan discloses wherein said advertisement contains further information to another advertisement, said another advertisement including said short name to inform a viewer how to access said digital business card (See col. 3, lines 56-65, Waites et al.).

Regarding claims 90-92, Waites/Govindarajan's web pages can include any type of information and format; therefore, it may be comprised variable data and static data. Since this is regarded as intended and, thus not given patent able weight.

5. Claims 10 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waites (US 6,788,769), in view of Govindarajan (US 6,208,659), and further in view of Gibson (US 2002/0016174).

Regarding claims 10 and 54, Waites/Govindarajan discloses all the claimed subject matter as set forth above. However, Waites/Govindarajan is silent as to disclose a plurality of databases arranged in a logical hierarchy so that if said short name is not found in a first database, said searching is resubmitted to a next database in said hierarchy. On the other hand, Gibson teaches databases arranged in a logical hierarchy (See [0010], Gibson et al.). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to

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arrange databases of Waites/Govindarajan system into hierarchical structure. The motivation would have been to easily the searching or navigating using the hierarchy.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Gifford U.S Patent No. 5,812,776 discloses method of providing internet pages by mapping telephone number provided by client to url and returning the same in a redirect command by server.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Merilyn P Nguyen whose telephone number is 571-272-4026.

The examiner can normally be reached on M-F: 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


MN
March 5, 2005


UYEN LE
PRIMARY EXAMINER